

INSPECTIONS AND APPEALS DEPARTMENT[481]

Adopted and Filed

Pursuant to the authority of Iowa Code sections 10A.104(5) and 135C.14, the Department of Inspections and Appeals hereby amends Chapter 57, “Residential Care Facilities,” Chapter 58, “Nursing Facilities,” Chapter 62, “Residential Care Facilities for Persons with Mental Illness (RCF/PMI),” Chapter 63, “Residential Care Facilities for the Intellectually Disabled,” Chapter 65, “Intermediate Care Facilities for Persons with Mental Illness (ICF/PMI),” and Chapter 67, “General Provisions for Elder Group Homes, Assisted Living Programs and Adult Day Services,” Iowa Administrative Code.

Currently, Iowa Code chapter 155A, Iowa Administrative Code rule 657—8.32(124,155A), and 2013 Iowa Acts, Senate File 353, give pharmacists some authority to administer certain immunizations. The Department’s rules limit the administration of injectable medications to qualified nurses or physicians. These amendments allow pharmacists to administer injectable medications as permitted by Iowa law.

Notice of Intended Action was published in the Iowa Administrative Bulletin on August 7, 2013, as **ARC 0907C**. Comments were received from the Iowa Physician Assistant Society, which noted inconsistencies with the proposed amendments and Iowa Code chapter 148C. Under chapter 148C, physician assistants are authorized to administer medications, including injections, in licensed health care facilities as delegated by a supervising physician. As a result, the amendments have been changed to include physician assistants among those individuals authorized to administer medications to residents in health care facilities.

In addition, paragraph 67.5(6)“a” in Item 6 has been updated to correspond with **ARC 0961C** and **ARC 0963C** (IAB 8/21/13) that amended the paragraph.

The Department does not believe that these amendments impose any financial hardship on any regulated entity, body, or individual.

The State Board of Health initially reviewed the proposed amendments at its July 10, 2013, meeting and subsequently approved them at the Board’s September 11, 2013, meeting.

After analysis and review of this rule making, no impact on jobs has been found.

These amendments are intended to implement Iowa Code section 135C.14.

These amendments shall become effective on November 6, 2013.

The following amendments are adopted.

ITEM 1. Amend paragraph **57.19(3)“h”** as follows:

h. Injectable medications shall be administered as permitted by Iowa law by a qualified nurse, ~~or~~ physician, pharmacist, or physician assistant (PA).

ITEM 2. Amend paragraph **58.21(15)“a”** as follows:

a. Injectable medications shall ~~not~~ be administered as permitted by Iowa law by ~~anyone other than~~ a qualified nurse, ~~or~~ physician, pharmacist, or physician assistant (PA). In the case of a resident who has been certified by the resident’s physician or physician assistant (PA) as capable of taking the resident’s own insulin, the resident may inject the resident’s own insulin. (II)

ITEM 3. Amend paragraph **62.15(2)“j”** as follows:

j. Injectable medications shall be administered as permitted by Iowa law by a qualified nurse, ~~or~~ physician, pharmacist, or physician assistant (PA).

ITEM 4. Amend paragraph **63.18(3)“i”** as follows:

i. Injectable medications shall be administered as permitted by Iowa law by a qualified nurse, ~~or~~ physician, pharmacist, or physician assistant (PA).

ITEM 5. Amend paragraph **65.17(1)“i”** as follows:

i. Injectable medications shall ~~not~~ be administered as permitted by Iowa law by ~~anyone other than a prescriber or licensed a qualified~~ nurse, physician, pharmacist, or physician assistant (PA) ~~except when residents have been certified by a physician as capable of taking their insulin. When~~ In the case

of a resident who has been certified by the resident's physician or physician assistant (PA) as capable of taking the resident's own insulin, the resident may prepare and inject the resident's own insulin. (II)

ITEM 6. Amend paragraph **67.5(6)“a”** as follows:

a. The administration of medications shall be provided by a registered nurse, licensed practical nurse or advanced registered nurse practitioner registered in Iowa or by or certified and noncertified staff in accordance with subrule 67.9(4) or a physician assistant (PA) in accordance with 645—Chapter 327. Injectable medications shall be administered as permitted by Iowa law by a registered nurse, licensed practical nurse, advanced registered nurse practitioner, physician, pharmacist, or physician assistant (PA).

[Filed 9/11/13, effective 11/6/13]

[Published 10/2/13]

EDITOR'S NOTE: For replacement pages for IAC, see IAC Supplement 10/2/13.